

### Remarks

The Office Action mailed January 6, 2005 has been carefully reviewed and the foregoing amendments have been made in consequence thereof.

Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 are pending in this application. Claims 1-74 stand rejected. Claims 4, 19, 43-47, 50, 55-60 and 71-74 have been canceled. Claims 75-78 have been newly added. No new matter has been added.

No fee calculation sheet is needed for the newly added claims however, if any fees are due, authorization to charge a deposit account in the amount of the fees due is submitted herewith.

In accordance with 37 C.F.R. 1.136(a), a one month extension of time is submitted herewith to extend the due date of the response to the Office Action dated January 6, 2005, for the above-identified patent application from April 6, 2005, through and including May 6, 2005. In accordance with 37 C.F.R. 1.17(a)(3), authorization to charge a deposit account in the amount of \$120.00 to cover this extension of time request also is submitted herewith.

The Office Action objects to Figures 48 and 49 for failing to comply with 37 C.F.R. 1.84(p)(4). Specifically, the Office Action objects to Figures 48 and 49 because reference character "1040" has been used to designate the customer information screen shown in both Figures 48 and 49. Applicants traverse this objection on the grounds that Figures 48 and 49 show a customer information screen 1040. More specifically, as described in the specification at paragraph [00172], Figure 48 shows customer information screen 1040 and Figure 49 is a continuation of screen 1040. Accordingly, the screen labeled 1040 shown in Figures 48 and 49 is correct because it is the same screen in each Figure with different portions of the screen being shown. For at least these reasons, Applicants respectfully request that the objection to Figures 48 and 49 under 37 C.F.R. 1.84(p)(4) be withdrawn.

The Office Action objects to the drawings for failing to comply with 37 C.F.R. 1.84(p)(5). Specifically, the Office Action objects to the drawings because the drawings fail to

show reference character 152. Applicants submit that the specification has been amended to address this objection. For at least these reasons, Applicants respectfully request that the objection to the drawings under 37 C.F.R. 1.84(p)(5) be withdrawn.

In addition, as requested by the Office Action, submitted herewith is a copy of Figure 44 labeled as a Replacement Sheet. According to the Office Action, Figure 44 was missing from the Transmittal of Formal Drawings dated November 19, 2002. Accordingly, a formal drawing of Figure 44 is being submitted herewith. No new matter has been added.

The objection to the specification for informalities is respectfully traversed. Applicants have amended the specification, namely paragraph [0094] to address this objection. Accordingly, Applicants respectfully request that the objection to the specification for informalities be withdrawn.

The rejection of Claims 1-15 and 43-47 under 35 U.S.C. § 101 as being directed to non-statutory subject matter is respectfully traversed.

The Office Action asserts at pages 4 and 5 that Claim 1 recites a method that “only constitutes an idea for managing a deal process, therefore, is deemed to be directed to non-statutory subject matter” and that “nothing in the body of the claims recite any structure or functionality to suggest that a computer performs a task”. Applicants respectfully traverse this assertion. More specifically, Applicants submit that the claims of the present patent application are directed to practical applications in the technological arts. “Any sequence of operational steps can constitute a process within the meaning of the Patent Act so long as it is part of the technological arts.” *In re Musgrave*, 431 F.2d 882 (C.C.P.A. 1970). For example, independent Claim 1 is directed to a method for managing a deal process using a server system coupled to a database and in communication with a client system wherein the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers. Applicants submit that managing a deal process between a business entity engaged and prospective customers is a useful process that is considered to be within “the technological arts”.

One specific example of such a method implementation is a computer with a processor programmed to at least one of prompt a user to create a business profile at a server system for storing within a database, access the server system by a prospective customer by displaying on a client system at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, prompt a user associated with the business entity to create a deal at the server system between the business entity and the prospective customer after the prospective customer has accessed the server system and selected a proposed deal, designate the prospective customer as a customer of the business entity, assign members to a deal team for the deal between the business entity and the customer, assign the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database, assign at the server system tasks and milestones to be performed by the deal team members for completing the deal, notify the deal team members of the assigned tasks to be performed and milestones, and track each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal. While the claims are not limited to the specific examples related to a computer with a programmed processor, the claims need not be so restricted to satisfy the requirement of Section 101.

Applicants further traverse the assertion included in the Office Action that Claim 1 is directed to non-statutory subject matter under Section 101 in light of the “Examination Guidelines for Computer-Related Inventions”. The Examination Guidelines for Computer-Related Inventions provides in relevant part as follows:

In order to determine whether the claim is limited to a practical application of an abstract idea, Office personnel must analyze the claim as a whole, in light of the specification, to understand what subject matter is being manipulated and how it is being manipulated. During this procedure, Office personnel must evaluate any statements of intended use or field of use, any data gathering step and any post-manipulation activity....Only when the claim is devoid of any limitation to a practical application in the technological arts should it be rejected under § 101. Further, when such a rejection is made, Office personnel must expressly state how the language of the claims has been interpreted to support the rejection.

Applicants respectfully submit that Claim 1 is limited to a practical application in the technological arts. Furthermore, Applicants respectfully submit that the Office Action does not expressly state how the language of Claim 1 supports the Section 101 rejection.

Claim 1 is a method directed to “managing a deal process”. Thus, Applicants submit that Claim 1 is directed to a useful process that is considered to be within “the technological arts”. Furthermore, Claim 1 recites a “method for managing a deal process using a server system coupled to a database and in communication with a client system, the server associated with a business entity engaged in a business of offering at least one of products and services to prospective customers”. The method includes “prompting a user associated with the business entity to create a business profile at the server system for storing within the database...accessing the server system by a prospective customer by displaying on the client system at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity...prompting a user associated with the business entity to create a deal at the server system between the business entity and the prospective customer after the prospective customer has accessed the server system and selected a proposed deal...assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database...assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal.” Thus, Claim 1 uses a server system coupled to a database and in communication with a client system to perform certain steps of the process. Claim 1 is therefore directed to a practical application in the technological arts.

Claim 4 has been canceled. Claims 2, 3 and 5-15 depend, directly or indirectly, from independent Claim 1. For the same reasons that Claim 1 satisfies Section 101, Claims 2, 3 and 5-15 also satisfy Section 101.

The Office Action also asserts at page 5 that Claims 43-47 are rejected because they are directed to non-statutory subject matter. Although Applicants traverse this assertion, Claims 43-47 have been canceled.

For at least the reasons set forth above, Applicants respectfully request that the Section 101 rejection of Claims 1-15 and 43-47 be withdrawn.

The rejection of Claims 1-74 under 35 U.S.C. § 103(a) as being unpatentable over Fredell et al. (U.S. Patent No. 6,678,698) (“Fredell”) in view of Veldhuisen (U.S. Patent No. 6,480,850) is respectfully traversed.

Applicants respectfully submit that neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest the claimed invention. As discussed below, at least one of the differences between the cited references and the present invention is that neither Fredell nor Veldhuisen, alone or in combination, describe or suggest a method for managing a deal process using a server system coupled to a database and in communication with a client system, wherein the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, and wherein the method includes prompting a user associated with the business entity to create a business profile at the server system for storing within the database that includes permissions granted to each user associated with the business entity for accessing information stored within the database.

Moreover, Applicants respectfully submit that neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest accessing the server system by a prospective customer by displaying on the client system at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, wherein the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity.

Furthermore, neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest assigning members to a deal team for the deal between the business entity and the customer wherein the deal team members include users associated with the business entity who will perform tasks for completing the deal, assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for

accessing specific information stored in the database, and assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal.

Additionally, no combination of Fredell and Veldhuisen describe or suggest tracking each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal.

Fredell describes a web-based method and system for communicating and managing project information. The method allows for storing project-related information including project documentation in a database. The method further provides an interface screen available through a global communications network. The interface screen is configurable to identify a plurality of project tasks. The interface screen includes a data field for defining a respective time window over which each of the tasks is to be performed by at least one project participant. The method allows for posting over the global communications network to selected project participants the plurality of project tasks. The posted plurality of project tasks is linkable to the database to retrieve project documentation that requires review by the selected project participants. A communicating step allows for communicating over the global communications network project status data for populating a project status screen indicative of the status of respective ones of the plurality of tasks.

Veldhuisen describes a system for managing data privacy that includes a database management system for storing data from a plurality of consumer database tables, with irrevocable logging of all access, whether granted or denied, to the data contents stored in the consumer data tables; a privacy metadata system that administers and records all data, users and usage of data that is registered as containing privacy elements; and a replication system that feeds the consumer access system with personal consumer data, maintains integrity of the consumer data and provides changes and corrections back to the originating database management system through their own integrity filters as well as a means of storage and the mechanism to provide input for changes in the personal data or privacy preferences. The system further includes means for managing consumer notification, access, correction and change of preferences for privacy or data protection in the privacy metadata system.

Claim 1 recites a method for managing a deal process using a server system coupled to a database and in communication with a client system, the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, the method includes “prompting a user associated with the business entity to create a business profile at the server system for storing within the database, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...accessing the server system by a prospective customer by displaying on the client system at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...prompting a user associated with the business entity to create a deal at the server system between the business entity and the prospective customer after the prospective customer has accessed the server system and selected a proposed deal...designating the prospective customer as a customer of the business entity...assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database...assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal...notifying the deal team members of the assigned tasks to be performed and milestones...and tracking each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal.”

Neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest the method recited in Claim 1. More specifically, neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest a method for managing a deal process using a server system coupled to a database and in communication with a client system, wherein the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, and wherein the method includes prompting a user associated

with the business entity to create a business profile at the server system for storing within the database that includes permissions granted to each user associated with the business entity for accessing information stored within the database.

As acknowledged by the Office Action at page 6, Fredell does not “teach the steps of prompting a user to create a business profile.” However, in contrast to what is asserted in the Office Action, Veldhuisen does not describe or teach prompting a user associated with a business entity to create a business profile at a server system for storing within a database as recited in the present claims. For at least this reason, Claim 1 is patentable over Fredell in view of Veldhuisen.

Moreover, neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest *accessing the server system by a prospective customer by displaying on the client system at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity* wherein the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity. (Emphasis added.)

Notably, no combination of Fredell and Veldhuisen describe or suggest displaying at least one of a web page and a portal customized for attracting a prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity. Rather, Fredell describes a system where the parties are already engaged in a project and the parties are not using the system to attract prospective customers; and Veldhuisen does not describe this feature at all.

Furthermore, neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest *assigning members to a deal team for the deal* between the business entity and the customer wherein the deal team members include users associated with the business entity who will perform tasks for completing the deal, *assigning the customer to the deal team* and enabling a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database, and *assigning at the server system tasks*



*and milestones* to be performed by the deal team members for completing the deal. (Emphasis added.)

Notably, no combination of Fredell and Veldhuisen describe or suggest assigning members to a deal team wherein the deal team members include users associated with the business entity who will perform tasks for completing the deal. Rather, Fredell merely describes a person posting a document deciding who gets access to that document (Col. 6, lines 21-24), and defining and allocating tasks among the project participants (Col. 12, lines 39-40). In other words, in Fredell, the project participants are already assigned to the project. Accordingly, Fredell does not describe actually assigning members to the deal team. Furthermore, no combination of Fredell and Veldhuisen describe or teach assigning a customer to the deal team. In addition, no combination of Fredell and Veldhuisen describe or teach assigning tasks and milestones to be performed by the deal team members.

Additionally, neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest tracking each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Fredell in view of Veldhuisen.

For at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Fredell in view of Veldhuisen.

Claim 4 has been canceled. Claims 2, 3 and 5-15 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2, 3 and 5-15 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 3 and 5-15 likewise are patentable over Fredell in view of Veldhuisen.

Claim 16 recites a system including at least one computer configured as a server associated with a business entity engaged in a business of offering at least one of products and services to prospective customers that is coupled to a database for storing business profiles, libraries and templates, and at least one client system connected to the server through a network, the server is configured to “prompt a user associated with the business entity to create a business

profile, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...display on the at least one client system for a prospective customer at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...prompt a user associated with the business entity to create a deal between the business entity and the prospective customer after the prospective customer has selected a proposed deal...designate the prospective customer as a customer of the business entity...assign members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assign the customer to the deal team and enable a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database...prompt a user to assign tasks and milestones to be performed by the deal team members for completing the deal, the tasks and milestones are entered using templates stored within the database...notify the deal team members of the assigned tasks to be performed and milestones accomplished...and track each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal.”

Claim 16, as herein amended, recites a system comprising, among other things, a computer configured as a server and configured to perform steps essentially similar to those recited in Claim 1. Thus, it is submitted that Claim 16 is patentable over the combination of Fredell and Veldhuisen for reasons that correspond to those given with respect to Claim 1.

Claim 19 has been canceled. Claims 17, 18 and 20-30 depend, directly or indirectly, upon Claim 16. When the recitations of Claims 17, 18 and 20-30 are considered in combination with the recitations of Claim 16, it is submitted that Claims 17, 18 and 20-30 are likewise patentable over the combination of Fredell and Veldhuisen.

Claim 31 recites an apparatus that includes “means for a user associated with a business entity to create business profiles, the business entity engaged in a business of offering at least

one of products and services to prospective customers, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within a database...means for storing records of identified ~~business prospects~~ prospective customers within the database...means for providing access to the database for a prospective customer by displaying at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...means for prompting a user associated with the business entity to create a deal between the business entity and the prospective customer after the prospective customer has selected a proposed deal...means for designating the prospective customer as a customer of the business entity...means for assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...means for assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database...means for assigning tasks and milestones to be performed by the deal team members for completing the deal...means for notifying the deal team members of the assigned tasks to be performed and milestones...and means for tracking each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal.”

Claim 31, as herein amended, recites an apparatus that includes means for performing steps similar to those recited in Claim 1 and those similar to that which the server performs in Claim 16. Thus, it is submitted that Claim 31 is patentable over the combination of Fredell and Veldhuisen for reasons that correspond to those given with respect to Claims 1 and 16.

Claims 32-42 depend, directly or indirectly, upon Claim 31. When the recitations of Claims 32-42 are considered in combination with the recitations of Claim 31, it is submitted that Claims 32-40 are likewise patentable over the combination of Fredell and Veldhuisen.

Claims 43-47 have been canceled.

Claim 48 recites a method for initiating a deal transaction using a server system coupled to a database and in communication with a client system, the client system having a user interface, the server associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, the method includes “prompting a user associated with the business entity to create a business profile at the server system for storing within the database, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...accessing the server system by a prospective customer by displaying on the user interface of the client system at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...prompting a user associated with the business entity to create a deal at the server system between the business entity and the prospective customer after the prospective customer has accessed the server system and selected a proposed deal...designating the prospective customer as a customer of the business entity...assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...displaying a library template downloaded from the server system for prompting a user associated with the business entity to organize documents associated with the deal within a deal library stored in the database...assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database including specific documents stored within the deal library...assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal...notifying the deal team members of the assigned tasks to be performed and milestones...and tracking each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal.”

Claim 48, as herein amended, recites a method for initiating a deal transaction that includes at least some steps that are similar to those recited in Claim 1. Thus, it is submitted that

Claim 48 is patentable over the combination of Fredell and Veldhuisen for reasons that correspond to those given with respect to Claim 1.

Claim 50 has been canceled. Claims 49 and 51-54 depend, directly or indirectly, upon Claim 48. When the recitations of Claims 49 and 51-54 are considered in combination with the recitations of Claim 48, it is submitted that Claims 49 and 51-54 are likewise patentable over the combination of Fredell and Veldhuisen.

Claims 55-60 have been canceled.

Claim 61 recites a computer program embodied on a computer-readable medium for managing a deal process between a business entity and a prospective customer, the business entity engaged in a business of offering at least one of products and services to prospective customers, the program including at least one code segment that receives information and then “prompts a user associated with the business entity to create a business profile for storing within a database, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...displays for a prospective customer at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...prompts a user associated with the business entity to create a deal between the business entity and the prospective customer after the prospective customer has selected a proposed deal...designates the prospective customer as a customer of the business entity...assigns members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assigns the customer to the deal team and enables a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database...assigns tasks and milestones to be performed by the deal team members for completing the deal...notifies the deal team members of the assigned tasks to

be performed and milestones...and tracks each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal.”

Claim 61, as herein amended, recites a computer program embodied on a computer-readable medium for managing a deal process between a business entity and a prospective customer that includes a code segment that performs steps similar to those recited in Claim 1. Thus, it is submitted that Claim 61 is patentable over the combination of Fredell and Veldhuisen for reasons that correspond to those given with respect to Claim 1.

Claims 62-66 depend, directly or indirectly, upon Claim 61. When the recitations of Claims 62-66 are considered in combination with the recitations of Claim 61, it is submitted that Claims 62-66 are likewise patentable over the combination of Fredell and Veldhuisen.

Claim 67 recites a computer for managing a deal process between a business entity and a prospective customer, the computer coupled to a database, the business entity engaged in a business of offering at least one of products and services to prospective customers, the computer is programmed to “prompt a user associated with the business entity to create a business profile for storing within the database, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...display for a prospective customer at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity...prompt a user associated with the business entity to create a deal between the business entity and the prospective customer after the prospective customer has selected a proposed deal...designate the prospective customer as a customer of the business entity...assign members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assign the customer to the deal team and enable a user associated with the business entity to grant permissions to the customer for accessing specific information stored in the database...assign tasks and milestones to be performed by the deal team members for

completing the deal...notify the deal team members of the assigned tasks to be performed and milestones...and track each task and milestone for completing the deal such that the deal team and the customer can monitor the progress of completing the deal.”

Claim 67, as herein amended, recites a computer for managing a deal process between a business entity and a prospective customer that is programmed to perform steps similar to those recited in Claim 1. Thus, it is submitted that Claim 67 is patentable over the combination of Fredell and Veldhuisen for reasons that correspond to those given with respect to Claim 1.

Claims 68-70 depend, directly or indirectly, upon Claim 67. When the recitations of Claims 68-70 are considered in combination with the recitations of Claim 67, it is submitted that Claims 68-70 are likewise patentable over the combination of Fredell and Veldhuisen.

Claims 71-74 have been canceled.

For the reasons given above, it is respectfully requested that the rejection of Claims 1-74 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Fredell and Veldhuisen be withdrawn.

In addition to the above arguments, the rejection of Claims 1-74 under 35 U.S.C. § 103(a) as being unpatentable over Fredell in view of Veldhuisen is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Fredell using the teachings of Veldhuisen. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a

given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Neither Fredell nor Veldhuisen, considered alone or in combination, describe or suggest the claimed combination. Rather, these present Section 103 rejections are based on a combination of teachings selected from multiple references in an attempt to arrive at the claimed invention. Since there is no teaching, suggestion or motivation for the combination of Fredell or Veldhuisen, this Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 1-74 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1-74 under 35 U.S.C. § 103(a) be withdrawn.

Newly added Claim 75 depends from independent Claim 1, which is submitted in condition for allowance and is patentable over the cited art. For at least the reasons set forth above, Applicants respectfully submit that Claim 75 is also patentable over the cited art.

Newly added Claim 76 depends from independent Claim 16, which is submitted in condition for allowance and is patentable over the cited art. For at least the reasons set forth above, Applicants respectfully submit that Claim 76 is also patentable over the cited art.



Newly added Claim 77 depends from independent Claim 31, which is submitted in condition for allowance and is patentable over the cited art. For at least the reasons set forth above, Applicants respectfully submit that Claim 77 is also patentable over the cited art.

Newly added Claim 78 depends from independent Claim 61, which is submitted in condition for allowance and is patentable over the cited art. For at least the reasons set forth above, Applicants respectfully submit that Claim 78 is also patentable over the cited art.

In view of the foregoing amendments and remarks, all the Claims now active in the application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Daniel M. Fitzgerald", written over a horizontal line.

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IN THE DRAWINGS

The Office Action objects to Figures 48 and 49 for failing to comply with 37 C.F.R. 1.84(p)(4). Specifically, the Office Action objects to Figures 48 and 49 because reference character "1040" has been used to designate the customer information screen shown in both Figures 48 and 49. Applicants traverse this objection on the grounds that Figures 48 and 49 show a customer information screen 1040. More specifically, as described in the specification at paragraph [00172], Figure 48 shows customer information screen 1040 and Figure 49 is a continuation of screen 1040. Accordingly, the screen labeled 1040 shown in Figures 48 and 49 is correct because it is the same screen in each Figure with different portions of the screen being shown. For at least these reasons, Applicants respectfully request that the objection to Figures 48 and 49 under 37 C.F.R. 1.84(p)(4) be withdrawn.

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Submitted herewith is a copy of Figure 44 labeled as a Replacement Sheet. According to the Office Action, Figure 44 was missing from the Transmittal of Formal Drawings dated November 19, 2002. Accordingly, a formal drawing of Figure 44 is being submitted herewith. No new matter has been added.